

**MMB**

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

TGAS ADVISORS, LLC,

Plaintiff/Counterclaim  
Defendant,

v.

ZENSIGHTS LLC,

Defendant/Counterclaim  
Plaintiff,

**16 1870**

CIVIL ACTION NO. \_\_\_\_\_

JURY TRIAL DEMANDED

**NOTICE OF REMOVAL OF CIVIL ACTION**

Defendant/Counterclaim Plaintiff Zensights LLC ("Zensights") by its undersigned attorneys, and pursuant to 28 U.S.C. §§ 1332 and 1441, files this Notice of Removal to remove this action to the United States District Court for the Eastern District of Pennsylvania.

1. On or after March 31, 2016, counsel for Plaintiff TGaS Advisors, LLC ("TGaS") emailed the Summons and Complaint in this action to New York counsel for Zensights.<sup>1</sup>

2. The action is presently pending in the Montgomery County Court of Common Pleas. Copies of the Summons, Complaint, and all papers and process received by Zensights are attached to this Notice as Exhibit "A," pursuant to 28 U.S.C. § 1446(a).

3. Plaintiff's Complaint contains just one Count.

<sup>1</sup> Zensights does not admit that it was served with process or that process was correctly served on it.

4. Plaintiff seeks to bring a claim for declaratory judgment pursuant to 42 Pa.C.S. § 7531 et seq., and claims it is “entitled to a declaration that TGaS’s development and sale of the TGaS Product does not constitute a breach of the [non-disclosure agreement TGaS signed], fraud, misappropriation, nor copyright infringement.” Compl. ¶ 29.

5. The Court has jurisdiction over this civil action pursuant to 28 U.S.C. § 1332, and this action is removable pursuant to 28 U.S.C. § 1441, because the parties meet the requirements of diversity jurisdiction and removal is timely.

6. Plaintiff filed the Summons and Complaint with the Montgomery County Court of Common Pleas on or about March 31, 2016.

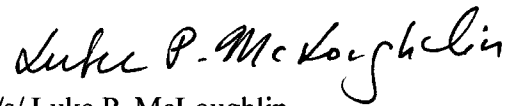
7. Pursuant to 28 U.S.C. § 1446(b), this Notice of Removal is timely filed within thirty (30) days of the receipt of the initial pleading setting forth the alleged claims for relief.

8. Venue is proper under 28 U.S.C. § 1441(a) because the United States District Court for the Eastern District of Pennsylvania is the district in which the state court action was brought.

9. In removing this action, Zensights does not waive any rights or defenses to which it is otherwise entitled, including but not limited to those set forth in Federal Rules of Civil Procedure 12(b), 13, 26, 33 and 34, and all defenses available under Pennsylvania law and its procedural rules.

10. Zensights is filing a copy of this notice with the Montgomery County Court of Common Pleas, as required by 28 U.S.C. § 1446(d).

WHEREFORE, notice is given that this action, currently pending in the Montgomery County Court of Common Pleas, is removed to the United States District Court for the Eastern District of Pennsylvania for further proceedings pursuant to this Notice.



/s/ Luke P. McLoughlin

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*Counsel for Defendant/Counterclaim  
Plaintiff Zensights LLC*

Dated: April 20, 2016

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and exact copy of the foregoing Notice of Removal of civil action and supporting materials were served upon Plaintiff/Counterclaim Defendant TGaS Advisors, LLC, upon Third Party Defendant Gary Warner, and upon Third Party Defendant Alice von Loesecke via electronic mail and via first-class mail, postage prepaid, addressed as follows:

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Dated: April 20, 2016

*/s/ Luke P. McLoughlin*

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Luke P. McLoughlin